Scheme By-laws – First Consolidation

*Strata Titles Act 1985*

Part 4 Division 4

Scheme Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The Owners of[[1]](#footnote-2) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (strata company):

**Part 1 – First Consolidation**

In compliance with the *Strata Titles Act 1985* Section 56 and Schedule 5 clause 4 and the *Strata Titles (General) Regulations 2019* Regulation 180(2), applies to the Registrar of Titles to register an amendment to the strata titles scheme by registration of a consolidated set of scheme by-laws.

[Note that no resolution is required if the strata company is just reflecting the by-law changes set out in the legislation, classifying by-laws as governance or conduct, repealing invalid by-laws and then renumbering as required.]

**Part 2 – Application to Amend**

In compliance with the *Strata Titles Act 1985* Section 56 and Schedule 5 clause 4 and the *Strata Titles (General) Regulations 2019* Regulation 180(1), applies to the Registrar of Titles to register an amendment to the strata titles scheme by amending the scheme by-laws and registering a consolidated set of scheme by-laws.

and certifies that:

By resolution without dissent, the voting period for which opened on \_\_\_\_\_\_\_\_\_\_\_\_\_\_ and closed on \_\_\_\_\_\_\_\_\_\_\_\_\_\_ (and which must be registered within 3 months from closing date) the [ ]  **additions**/ [ ]  **amendments**/ [ ]  **repeal**[[2]](#footnote-3) to the Governance by-laws were made as detailed here.

[Insert Governance by-law(s) additions, amendments or repeal and their by-law number here]

[ ]  **and** / [ ]  **or**2

By special resolution, the voting period for which opened on \_\_\_\_\_\_\_\_\_\_\_\_\_\_ and closed on \_\_\_\_\_\_\_\_\_\_\_\_\_\_ (and which must be registered within 3 months from closing date) the [ ]  **additions**/ [ ]  **amendments**/ [ ]  **repeal**2 to the Conduct by-laws were made as detailed here.

[Insert Conduct by-law(s) additions, amendments or repeal and their by-law number here]

The strata company further certifies that the consolidated by-laws provided in **Part 3** are all the current by-laws for the scheme.

**Part 3 – Consolidated By-laws of Scheme Number**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Governance By-Laws**

[Insert Governance by-law(s) and their by-law number here]

**Conduct By-Laws**

[Insert Conduct by-law(s) and their by-law number here]

**Part 4 – By-laws of Significance**

The strata company acknowledges that the following Governance by-laws need consent from a party other than the strata company if they are to be made, amended or repealed. For more information about who these parties are, refer to the *Strata Titles Act 1985* and the *Strata Titles (General) Regulations 2019*:

|  |  |
| --- | --- |
|  | By-law number(s) |
| **Staged subdivision by-laws[[3]](#footnote-4)**: | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| **By-law under planning (scheme by-laws) condition[[4]](#footnote-5):** | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| **Exclusive use by-laws[[5]](#footnote-6)**:(existing and new) | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

**Part 5 – Attachments**

|  |
| --- |
|[ ]  **Consent Statement – Designated Interest[[6]](#footnote-7) Holders for making / amendment / repeal of staged subdivision by-laws** |

|  |
| --- |
|[ ]  Written consent of owner of each lot granted exclusive use (owners of special lots) |
|  |  |
|[ ]  Written consent of Western Australian Planning Commission or Local Government (as relevant) to amendment or repeal of any by-laws created in relation to a planning (scheme by-laws) condition  |

**Part 6 – Execution**

|  |  |
| --- | --- |
| 1. Common Seal[[7]](#footnote-8)

Date of Execution: \_\_\_\_\_\_\_\_\_\_\_\_\_\_The common seal of[[8]](#footnote-9)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is fixed to this document in accordance with the *Strata Titles Act 1985* section 118(1) in the presence of: | [AFFIX COMMON SEAL HERE] |
| Member of Council[[9]](#footnote-10): | Member of Council9: |
| Signature | Signature |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Full Name | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Full Name |

**OR**

|  |
| --- |
| 1. No Common Seal7

Date of Execution: \_\_\_\_\_\_\_\_\_\_\_\_\_\_Signed for and on behalf of8 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in accordance with the *Strata Titles Act 1985* section 118(2): |
|  |
| [ ]  Member of Council / [ ]  Strata Manager of strata company[[10]](#footnote-11): | [ ]  Member of Council / [ ]  Strata Manager of strata company10: |
| Signature | Signature |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Full Name | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Full Name |

|  |  |  |  |
| --- | --- | --- | --- |
| Lodged by:[[11]](#footnote-12)  | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |  | Instruct if any documents are to issue to other than Lodging Party **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| Address: | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| Phone Number: | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| Fax Number:  | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| Reference Number: | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| Issuing Box Number: | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
|  |  |  |
| Prepared by: | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |  |  |
| Address: | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| Phone Number: | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| Fax Number: | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| Reference Number: | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
|  |  |  |
| Titles, Leases, Evidence, Declarations etc. lodged herewith 1. **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**2. **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**3. **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**4. **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**5. **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |  | **OFFICE USE ONLY**Landgate OfficerNumber of Items Received: \_\_\_\_\_ Landgate Officer Initial: \_\_\_\_\_\_ |

1. To be completed as “[scheme name + scheme type + scheme number]” under s.14(2) of the Act, e.g. Pretty Ponds Survey-Strata Scheme 12345. [↑](#footnote-ref-2)
2. Select one. [↑](#footnote-ref-3)
3. Refer *Strata Titles Act 1985* section 42. [↑](#footnote-ref-4)
4. Refer *Strata Titles Act 1985* section 22. [↑](#footnote-ref-5)
5. Refer *Strata Titles Act 1985* section 43. [↑](#footnote-ref-6)
6. Refer to section 3(1) of the Act for the meaning of designated interest. [↑](#footnote-ref-7)
7. See SIG-14 for execution of documents by a strata company. [↑](#footnote-ref-8)
8. Insert the name of the strata company (i.e. The Owners of + scheme name + scheme type + scheme number), e.g. The Owners of Pretty Ponds Survey-Strata Scheme 12345. [↑](#footnote-ref-9)
9. The common seal must be witnessed by 2 members of council. [↑](#footnote-ref-10)
10. Select whichever is applicable. [↑](#footnote-ref-11)
11. Lodging Party Name may differ from Applicant Name. [↑](#footnote-ref-12)